

**MINUTES**  
**BRECKINRIDGE COUNTY FISCAL COURT**  
**Regular Meeting**  
**Monday, February 9, 2009**  
**10:00 A.M.**

**RE: Call to Order**

After leading in the Pledge of Allegiance and a word of prayer, Judge Powers called to order the regular meeting of the Breckinridge County Fiscal Court at 10:00 a.m. at the Courthouse Annex.

Present: Ray Powers, County Judge/Executive  
James Henning, Magistrate, District 1  
Danny Gedling, Magistrate, District 2  
Charlie Hay, Magistrate, District 3  
Ronnie Robinson, Magistrate, District 4  
Sam Moore, Magistrate, District 5  
Joe O'Donoghue, Magistrate, District 6  
Bradley Butler, County Attorney  
Todd Pate, County Sheriff

Staff: Sherrie Ashley, Fiscal Court Clerk  
Randi Flood, County Treasurer  
Ernie Nix, Road Foreman

**RE: Minutes – January 26, 2009**

Esquire Hay moved, seconded by Esquire Robinson, to approve the January 26<sup>th</sup> Minutes as submitted by Fiscal Court Clerk, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Welcome of Guests and Comments**

Judge Powers welcomed the guests who were present at the Fiscal Court Meeting; however, no one had signed the guest comment sheet.

**RE: Budget, New Line Item: Contracted Debris Removal**

Subsequent to explanation, Esquire Moore moved, seconded by Esquire Hay, to approve the budget, new line item: 02-6105-3980, Contracted Debris Removal. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Transfers**

Esquire Hay moved, seconded by Esquire Henning, to approve the February 9, 2009 Transfers as submitted by County Treasurer, Randi Flood. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "A-020909"

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**RE: Claims**

Esquire Hay moved, seconded by Esquire Moore, to approve the February 7, 2009 Claims and the February 9, 2009 additional Claim as submitted by Judge/Executive Assistant, Odessa Hobbs.

Esquire Gedling inquired about the contractors who were hired to assist with tree removal during the storm. He asked if a list could be completed consisting of the local contractors from each district who were available for hire during emergencies. Judge Powers stated that a list of local contractors had not been completed when the storm struck.

He further explained the events that occurred prior to hiring the contractors. At first, we were going to rent additional equipment; however, there was more damage than the county road department staff could cleanup in a short period of time. To make matters worse, the Courthouse Annex did not have electricity or phone service and Cingular cell service was out. Fortunately, some of the contractors were able to contact us and others just stopped by the office offering their services. Since most of the county roads were impassable due to debris, emergency assistance vehicles could not provide service, so the contractors were hired. Subsequent to explanation and discussion, Judge Powers called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (7-0).  
Exhibit "B-020909"

**NEW BUSINESS**

**RE: Employee Drug Testing**

Mr. Bill Ramage, a representative of Premier Integrity Solutions addressed the Court about a drug testing program. He gave a brief history of the company, current participants and services offered. Mr. Ramage explained the Kentucky Drug Free Work Place Program certification requirements: must post drug free work place information, provide random drug testing, train employees on drug awareness and comply with the Department of Transportation (DOT) requirements for CDL employees. Subsequent to discussion, Esquire Henning moved, seconded by Esquire Moore, to hire Premier Integrity Solutions to provide random drug testing for the county. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: USDA Rural Development**

Mrs. Darlene Hager, a representative of the USDA Rural Development, an agency of the US Department of Agriculture addressed the Court about the loan programs her office had available to county residents. She gave a brief explanation of the types of loans:

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residential repairs, residential purchase, community facility, business and industry and rural utilities. Mrs. Hager further added that she was available to assist residents on Thursday of each week at the Courthouse Annex. Judge Powers thanked Mrs. Hager.

**RE: Treasurer's Report**

Esquire O'Donoghue moved, seconded by Esquire Gedling, to approve the February 9<sup>th</sup> Treasurer's Report as submitted and explained by County Treasurer, Randi Flood. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).  
Exhibit "C-020909"

**RE: Road Foreman's Report**

Road Foreman, Ernie Nix stated that the road department staff had been working on debris removal and equipment repairs every since the storm struck. He thanked all of volunteer fire departments and everyone who assisted during the crisis. He further added that four employees were off from work due to injuries.

During the next few weeks, the road department staff will be working on storm cleanup, road repair and clearing tiles of debris. Last Friday 160 loads of debris were dropped off at the fairgrounds. Judge Powers added that the National Guard assisted with well fare checks and clearing the roads but not with cleanup. Esquire Gedling inquired about hiring a few more workers to assist with the cleanup. Judge Powers added that the Court would convene to executive session to address personnel.

Subsequent to discussion, Esquire Hay moved, seconded by Esquire Robinson, to approve the Road Foreman's Report as explained by Road Foreman, Ernie Nix. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Executive Session, Personnel**

Judge Powers entertained a motion to convene to Executive Session to discuss personnel. Esquire Hay moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Executive Session, Adjournment**

Esquire Hay moved, seconded by Esquire O'Donoghue, to adjourn the Executive Session with no further discussion to come before it. No action was taken during the session. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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**RE: Personnel Issues**

Judge Powers entertained a motion to rehire Joe Haycraft as a full-time seasonal road department employee at \$10.93 per hour effective February 9, 2009. Esquire Moore moved, seconded by Esquire Henning. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Judge Powers entertained a motion to hire Virginia Minter as a part-time archivist at \$9.76 per hour effective February 9, 2009. Esquire Gedling moved, seconded by Esquire Hay. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Judge Powers informed the Court that Finance Officer, Cindy Stinnett had resigned from her position as of January 31, 2009. He further added that he would advertise for the position as soon as possible.

**RE: Custer Fire Department**

Judge Powers stated that he was informed that the Custer Volunteer Fire Department was closing on March 31, 2009. He further added that he had a signed contract with the other county volunteer fire department's chiefs except for one who was currently out of town to cover the Custer area. Judge Powers entertained a motion for the Court, to approve and accept the contract. Esquire Hay moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).  
Exhibit "D-020909"

Judge Powers asked a representative from the Custer Volunteer Fire Department if they were official intending to close. The representative stated that a public meeting would be scheduled and all questions could be directed to Chief Lucas at that time.

**RE: Stephensport Area Water Main Extensions Project**

Esquire Gedling inquired about an update on the Stephensport Area Water Main Extensions Project. Judge Powers stated that the project had been bid last week, but he did not have any other information at this time. Esquire Moore stated that he was going to work in his area.

**RE: Carter Lane**

Esquire Hay inquired about the actual width of the county right of way in order to advise the residents correctly on the completion of the deed for Carter Lane. County Attorney, Bradley Butler agreed that the county right of way was 40 ft.

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**Announcement:**

Judge Powers thanked the volunteers who assisted during the State of Emergency and named a few: Volunteer Fire Departments, Health Department, Breck Central, National Guard, County Road Department, Law enforcement, EMA Director, Marty Moore, and the shelters' volunteers. He apologized to everyone that he had forgotten to individually name and added that he was proud to say that there many worker and volunteers. Everyone's commitment in assisting the county during the crisis was greatly appreciate.

**RE: Adjournment**

Esquire Hay moved, seconded by Esquire Henning, to adjourn this meeting at 11:22 a.m. with no further business to come before it. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**Clerk Certification**

I, Sherrie L. Ashley, having been appointed to the office of Fiscal Court Clerk, do hereby certify that this is a true and accurate record of the actions taken by the Breckinridge County Fiscal Court at the meeting of February 9, 2009.

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Sherrie L. Ashley, Fiscal Court Clerk

Date: February 13, 2009